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09/932,280	08/17/2001	Chen-Yin Lee	DYNA117748	3103

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EXAMINER

CHANG, SHIRLEY

ART UNIT	PAPER NUMBER
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2623

DATE MAILED: 04/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/932,280	LEE, CHEN-YIN	
	<b>Examiner</b>	<b>Art Unit</b>	
	Shirley Chang	2623	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

- A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 3-4, 7-8, 10-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3-4, 7-8, 10-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim(s) 11-13 recite(s) a "computer-readable signal..." which effectively is a signal that does not fall within the four categories of patentable subject matter set forth in 35 U.S.C. 101.

### **Response to Arguments**

Applicant's arguments with respect to claims 10 and 11 have been considered but are moot in view of the new ground(s) of rejection.

### **Claim Rejections - 35 U.S.C. § 103**

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**1. Claim(s) 3-4, 10-12 is/are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ullman et al. (6018768) in view of Kunkel (5961603).**

As to claim 3, Ullman et al. disclose:

wherein the schedule program memory includes a plurality of schedule programs predefined under a plurality of categories, respectively, each of which is selectable by the client system (figure 7, wherein the categories include description, web page address or question, hour, and minutes).

As to claim 4, Ullman et al. disclose:

the client system is selected from a group consisting of a TV settop box system, a mobile phone, and a personal digital assistant ("In this alternative embodiment, the digital cable set top box 140 receives the television program from the multichannel cable" col. 9, line 59 to col. 10, line 3).

As to claim 10, Ullman et al. disclose:

A personal Web guide system which allows a user of a client system to browse Web information according to a predetermined schedule, the system comprising: a host workstation (instructor's computer (col. 10, lines 33-50)) comprising a schedule program memory, the memory including a schedule program in which a plurality of Internet resource addresses (fig. 7) are registered in predetermined sequential order (instructor

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creates a comprising a listing of Web pages, which are set forth in a predetermined order and can be assigned times col. 10, lines 33-58; 'the URLs have associated time stamps which indicate to the subscriber stations when to display the particular Web pages addressed by the URLs' col. 5, lines 3-12; "because a server is essentially controlling the program, the instructor output comes from the server and the student workstations get automatically updated by the Web server" col. 10, lines 59-65; fig. 7);

a schedule program server ("because a server is essentially controlling the program, the instructor output comes from the server and the student workstations get automatically updated by the Web server" col. 10, lines 59-65; fig. 7) connected to the host workstation (instructor's computer connected to server (col. 10, lines 33-50)), the schedule program server being configured to receive a schedule program from the host workstation, to interpret the received schedule program,

defining a display period for the Web pages (instructor creates a comprising a listing of Web pages, which are set forth in a predetermined order and can be assigned times col. 10, lines 33-58; 'the URLs have associated time stamps which indicate to the subscriber stations when to display the particular Web pages addressed by the URLs' col. 5, lines 3-12).

a client system including a display (fig. 1, el. 16; fig. 5, el. 18; fig. 6, el. 152; 'the URL decoder 24 is located at the server site. When the decoder 24 receives the video program signal, it strips out the URL codes on line 21 of the VBI and delivers these codes independently to an Internet server 28. The URL code is then subsequently

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delivered over the Internet 20 to the user PC 16' col. 5, line 58 to col. 6, line 6; 'The database 78 provides the Link File records for upcoming time periods to a server 90, which may be one server or a distributed network of server programs on multiple computers across the network, to be utilized for scaling to large national or global audiences. The server 90 provides the Link File records, including the URLs, to the user's personal computer 16, which is connected via a network" col. 6, lines 56-65; "the students and the instructor can be located anywhere, as long as they are all connected to the Web. Because a server is essentially controlling the program, the instructor output comes from the server and the student workstations get automatically updated by the Web server" col. 10, lines 59-65); and

display each of them in the predetermined sequential order and display period according to the downloaded display control program (Preferably, the URLs have associated time stamps which indicate to the subscriber stations when, during the video program, to display the particular Web pages addressed by the URLs col. 5, lines 3-12; fig. 7).

Ullman fails to specifically teach and to create a plurality of temporary Web pages, the plurality of temporary Web pages being created based on a plurality of Web pages available at the plurality of Internet resource addresses as registered in the schedule program and a display control program based on the received schedule program, and

the display control program defining a display format of each of the temporary Web pages.

In an analogous art, Kunkel discloses creating a plurality of temporary Web pages, the plurality of temporary Web pages being created based on a plurality of Web pages available at the plurality of Internet resource addresses as registered in the schedule program (col. 4, line 59 to col. 5, line 6), and a display control program based on the received schedule program, and the display control program defining a display format of each of the temporary Web pages (col. 4, line 59 to col. 5, line 6).

It would have been obvious to one of ordinary skill in the art to modify Ullman's system to teach creating a plurality of temporary Web pages, the plurality of temporary Web pages being created based on a plurality of Web pages available at the plurality of Internet resource addresses as registered in the schedule program and a display control program based on the received schedule program, and the display control program defining a display format of each of the temporary Web pages, as taught by Kunkel, so as to allow information to be quickly accessed and downloaded to a user in response to information request, and utilize an all digital format compatible with the user's system.

As to claim 11, Ullman et al. disclose:

An article comprising a computer-readable signal-bearing medium (the system is a PC based system and thereby also a 'computer-readable signal-bearing medium') including computer-executable instructions, wherein the instructions when loaded onto a computer, which functions as a schedule program server, perform the steps of receiving a schedule program in which a plurality of Internet resource addresses are registered in a user-selected sequential order (instructor creates a comprising a listing of Web pages, which are set forth in a predetermined order and can be assigned times col. 10, lines 33-58; 'the URLs have associated time stamps which indicate to the subscriber stations when to display the particular Web pages addressed by the URLs' col. 5, lines 3-12).

interpreting the received schedule program, sending the display control program to a client system, receiving a request for the temporary Web pages from the client system, and sending the temporary Web pages to the client system according to the request ('the URL decoder 24 is located at the server site. When the decoder 24 receives the video program signal, it strips out the URL codes on line 21 of the VBI and delivers these codes independently to an Internet server 28. The URL code is then subsequently delivered over the Internet 20 to the user PC 16' col. 5, line 58 to col. 6, line 6; 'The database 78 provides the Link File records for upcoming time periods to a server 90, which may be one server or a distributed network of server programs on multiple computers across the network, to be utilized for scaling to large national or global audiences. The server 90 provides the Link File records, including the URLs, to the user's personal computer 16, which is connected via a network" col. 6, lines 56-65; "the



students and the instructor can be located anywhere, as long as they are all connected to the Web; col. 10, lines 59-65).

Ullman fails to specifically teach creating a plurality of temporary Web pages from a plurality of Web pages available at the plurality of Internet resource addresses as registered in the interpreted schedule program, based on the interpreted schedule program, creating a display control program defining a display format and display period of each of the plurality of temporary Web pages instructor creates a comprising a listing of Web pages.

In an analogous art, Kunkel discloses creating a plurality of temporary Web pages from a plurality of Web pages available at the plurality of Internet resource addresses as registered in the interpreted schedule program (col. 4, line 59 to col. 5, line 6), based on the interpreted schedule program, creating a display control program defining a display format and display period of each of the plurality of temporary Web pages instructor creates a comprising a listing of Web pages (col. 4, line 59 to col. 5, line 6).

It would have been obvious to one of ordinary skill in the art to modify Ullman's system to teach creating a plurality of temporary Web pages from a plurality of Web pages available at the plurality of Internet resource addresses as registered in the interpreted

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schedule program, based on the interpreted schedule program, creating a display control program defining a display format and display period of each of the plurality of temporary Web pages instructor creates a comprising a listing of Web pages, as taught by Kunkel, so as to allow information to be quickly accessed and downloaded to a user in response to information request, and utilize an all digital format compatible with the user's system.

As to claim 12, Ullman et al. disclose:

wherein the medium is a recordable data storage medium ("At each of the student workstations, the program is directed by the playlist 160. In other words, the playlist 160 provides the structure for the program. At predetermined times as dictated by the playlist 160, the browser will go fetch and display a Web page in a frame on the computer screen. Because program events can be set up in this manner at predetermined times, the entire program and playlist can be prerecorded and stored in a Web database for later access by students" col. 10, lines 50-58).

### **Claim Rejections - 35 U.S.C. § 103**

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**2. Claims 7, 13 are rejected under 35 U.S.C. § 103(a) as being un-patentable over Ullman et al. (6018768) in view of Kunkel (5961603).**

As to claim 7,

Although Ullman et al. does not specifically disclose, "wherein the display control program further defines scrolling of at least one of the plurality of temporary Web pages," the examiner gives Official Notice that it is notoriously well known in the art to define scrolling. Accordingly, it would have been clearly obvious to one of ordinary skill in the art to modify the Ullman reference with the claimed limitation, so as to allow the user more maneuverability within the display guide.

As to claim 13,

Although the Ullman et al. is unclear how the teacher workstations receives the article comprising a computer-readable signal bearing medium as claimed, the examiner gives Official Notice that it is notoriously well known in the art to distribute software via a modulated carrier wave. Accordingly, it would have been clearly obvious to one of ordinary skill in the art to modify the Ullman reference with the claimed limitation, for the

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purpose of a low cost distribution means for the distribution of software to a large number of people.

**3. Claim 8 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ullman et al. (6018768) in view of Kunkel (5961603), and in further view of Levy et al. (2002/0033844).**

As to claim 8,

Although Ullman et al. does not specifically disclose “wherein at least one of the plurality of temporary Web pages is reformatted for display on the client system,” Levy et al.

teaches “The router parses the identifier from the message, looks up the network address associated with the content identifier, and returns it to the data formatting server. Next, the data formatting server retrieves the metadata associated with the content identifier from the metadata database located at the network address.

Specifically, the data formatting server retrieves a web page indexed by the network address returned by the router. Next, the data formatting server reformats the metadata for display on the PDA and sends the reformatted data to the PDA for rendering.

Specifically if the metadata is a web page, the data formatting server reformats the web page for display on the PDA's monitor. For other types of metadata content, the data formatting server formats the metadata content for delivery to the PDA and rendering on the PDA, such as by converting to a compressed file, or a streaming file format like Microsoft's ASF format. This example is applicable to other portable communication devices like wireless phones” [0181]). Accordingly, it would have been clearly obvious

to one of ordinary skill in the art to modify the Ullman et al. reference with the claim limitation as to allow "data to be formatted for rendering on the display type of the device" [0010], thereby allowing greater flexibility as to the nature of the display device.


### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shirley Chang whose telephone number is (571) 272-8546. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SC

  
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